

REMARKS

Applicants acknowledge with appreciation the indication in item 6 on pages 5 and 6 of the September 7, 2005 Office Action that dependent claims 4 and 5 recite allowable subject matter.

In the Office Action, claims 1 and 3 were rejected under 35 USC § 102 as anticipated by International Publication No. WO 99/67067 to Kawakita. Claim 2 was rejected under 35 USC § 103 as unpatentable over Kawakita in view of U.S. Patent 6,064,303 to Klein. Claim 6 was rejected under 35 USC § 103 as unpatentable over Kawakita in view of Patent Application Publication U.S. 2002/0181723 to Kataoka.

It is submitted that claim 1 as amended patentably distinguishes over the applied art. The rejections are respectfully traversed below.

Rejections under 35 USC § 102

Claim 1 recites "a detection section which detects a plurality of user requests provided by a user" (claim 1, lines 4-5) and "a telephone control section which causes the communication section to dial one of the telephone numbers stored in the storing section in response to the detection section detecting a mode of one of the user requests" (claim 1, lines 7-10) as described in the specification at least at page 2, lines 21-27; page 3, lines 24-27; and page 14, lines 2-13. What was cited in Kawakita describes a "key input section 24 ... to input a ... telephone number ... for making a phone call ... [and] the controller 20 ... controls the communication unit 25 to call ... via the communication unit 25" in paragraph [0078] and that "pressure of shaking hands ... can be communicated through the other robot" in paragraph [0097].

Thus, what was cited in Kawakita describes a controller, not a user, controlling the communication unit to make telephone calls, in association with the receiving robot mimicking human gestures (i.e., body language) associated with a verbal message based on power detection signals. Moreover, there is no description of detecting of "a plurality of modes of user requests" as recited in amended claim 1.

Next, the Office Action admitted that Kawakita "does not teach ... messages respectively associated with ... telephone numbers and the telephone control section dialing a telephone number according to a mode of request detected by the detection section, and delivering a message associated with the dialed telephone number" (Office Action, page 3, line 23 to page 4, line 2). Then, the Office Action alleged that Klein provides the elements lacking in Kawakita.

However, what was cited in Klein describes a list of telephone numbers in column 604 of FIG. 6 and "various diagnoses" in column 602 of FIG. 6. Nothing in FIG. 6 of Klein relates to modes of user requests as described in the specification. Rather, FIG. 6 of Klein is an illustration of a "remedy table" (column 7, line 33) where each row represents a remedy or response for the diagnosis listed in column 602. Based on the descriptive diagnoses in column 602 of FIG. 6 and corresponding keys in columns 403, 503 and 603 of FIGS. 4-6, none of "the events logged in the detected event tables of FIG. 4" (column 7, lines 25-26) is a "user request" as recited in claim 1. It is clear from the words in column 602 of FIG. 6 that the diagnoses represent security situations detected by the personal computer-based home security system disclosed by Klein, none of which is a request.

Thus, nothing has been cited or found in Kawakita and Klein either combined together or considered individually that teaches or suggests each element of claim 1. Furthermore, the Office Action failed to provide motivation to combine the disclosure of Klein with the teaching of Kawakita in order to show the elements of claim 1.

Dependent claims 3-6 depend from claim 1 and subsequent base claim. Thus, claims 3-6 distinguish over the applied art for the reasons discussed in regard to claim 1.

Rejections under 35 USC § 103

In item 4 on page 3 of the Office Action, claim 2 was rejected under 35 USC § 103 as unpatentable over Kawakita in view of Klein. This rejection is moot because claim 2 is herein canceled.

In item 5 on pages 4 and 5 of the Office Action, claim 6 was rejected under 35 USC § 103(a) as unpatentable over Kawakita in view of Kataoka. However, nothing was cited or found in Kataoka that teaches or suggest motivation for either combining Kataoka with Kawakita or modifying Kawakita to overcome the deficiencies discussed above. Since claim 6 depends from claim 1, claim 6 distinguishes over the applied art for the reasons discussed above in regard to claim 1.

CONCLUSION

It is submitted that the references cited by the Examiner either combined together or considered individually do not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 1 and 3-6 are in condition suitable for allowance. An early action to that effect is courteously solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Finally, if there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 1/9/06

By: Richard A. Gollhofer
Richard A. Gollhofer
Registration No. 31,106

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

CERTIFICATE UNDER 37 CFR 1.8(a)
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 9, 2006.
STAAS & HALSEY
By: John L. Young
Date: January 9, 2006

